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11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 BANK OF AMERICA, N.A.,

15 Plaintiff,

16 vs.

17 TICOR TITLE INSURANCE COMPANY;
18 CHICAGO TITLE INSURANCE
19 COMPANY; and FIDELITY NATIONAL
20 TITLE INSURANCE COMPANY,

21 Defendants.

Case No.: 3:20-cv-00046-MMD-WGC

**STIPULATION AND ORDER TO
EXTEND TIME PERIOD TO RESPOND
TO MOTIONS TO DISMISS [ECF Nos. 5
& 6]**

[Second Request]

22 COMES NOW Plaintiff, Bank of American, N.A. ("BANA"), Specially Appearing
23 Defendant Fidelity National Title Insurance Company ("Fidelity") and Defendant Chicago Title
24 Insurance Company ("Chicago Title") (collectively, the "Parties"), by and through their
25 respective attorneys of records, hereby agree and stipulate as follows:

- 26 1. On April 9, 2020, Chicago Title filed a Motion to Dismiss [ECF No. 5];
- 27 2. On April 9, 2020, Fidelity filed a Motion to Dismiss [ECF No. 6];
- 28 3. BANA's deadline to respond to Chicago Title and Fidelity's Motions is currently
May 26, 2020;
4. In response to the Motions to Dismiss, BANA has asked that Chicago Title and
Fidelity stipulate to BANA filing an amended complaint.

1 5. As such, BANA is requesting a 30-day extension of its deadline to respond to the
2 Motions to Dismiss, until Thursday, June 25, 2020, to file its response to Fidelity and
3 Chicago Title's Motions in order to provide Fidelity and Chicago Title sufficient time
4 to review BANA's proposed First Amended Complaint and to consider stipulating to
5 allow amendment;¹

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7 6. By entering into this stipulation, Fidelity and Chicago Title are not waiving their right
8 to move to dismiss the proposed amended pleading;

9 7. Counsel for Fidelity and Chicago Title does not oppose the requested extension; and
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28 ¹ If the Parties do not come to an agreement regarding amendment, BANA intends on seeking
leave of this Court to file the First Amended Complaint.

1 8. This is the second request for an extension which is made in good faith and not for
 2 purposes of delay.

3 **IT IS SO STIPULATED.**

4 DATED this 26th day of May, 2020.

5 WRIGHT, FINLAY & ZAK, LLP

6 /s/ Lindsay D. Robbins

7 Lindsay D. Robbins, Esq.

8 Nevada Bar No. 13474

9 7785 W. Sahara Ave., Suite 200

10 Las Vegas, NV 89117

11 *Attorneys for Plaintiff, Bank of America,*
 12 *N.A.*

DATED this 26th day of May, 2020.

EARLY SULLIVAN WRIGHT GIZER &
 McRAE LLP

/s/ Kevin S. Sinclair, Esq.

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 Las Vegas, Nevada 89148

Attorneys for Defendant, Fidelity National
Title Insurance Company and Chicago Title
Insurance Company

14 **IT IS SO ORDERED.**

15 Dated this 26th day of May 2020.

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19 MIRANDA M. DU

20 UNITED STATES DISTRICT COURT J U D G E